

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA,
DECEMBER 17, 2008**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, December 17, 2008, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Due to the length of a prior public hearing, the meeting that was advertised for 7:00 p.m. was called to order at 7:05 p.m. by Presiding Officer Mayor William J. Schmitt.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Absent
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. Six of the seven council members were in attendance; therefore, there was a quorum for the meeting.

Approval of the Minutes:

The following minutes were distributed to and examined by the Council:

1. November 19, 2008 regular Common Council meeting
2. July 21, 2008 special meeting – budget hearings
3. December 1, 2008 informational meeting with the Fire Department

A **motion** was made by Councilmember Ambrose 'Butch' Schitter and seconded by Councilmember David Prechtel to approve the minutes as published. Motion carried 6-0.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on Monday, December 15, 2008. Copies of the minutes are supplied to each council member.

ORDINANCE NO. 2008-33 AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT

This ordinance vacates 20 ft of a 50 ft. PUDE in Lot 81 in Green Meadows Estates Seventh Addition [Eads petition].

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Thomas Schmidt and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember

John Schroeder and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ray Howard, seconded by Councilmember Thomas Schmidt and approved 6-0 to pass and adopt Ordinance No. 2008-33

ORDINANCE NO. 2008-32 AN ORDINANCE AMENDING ORDINANCE NO. 1991-43 ENTITLED AN ORDINANCE VACATING A PUBLIC ALLEY

This ordinance amends Section 1 of Ordinance No. 1991-43 to change the legal description that vacates a public alley in O'Eckerle's Victory Villa Addition because in the County's land records Lot 5 is sometimes referred to as Lot 5A.

A motion was made by Councilmember Thomas Schmidt, seconded by Councilmember David Prechtel and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Randall Buchta and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Thomas Schmidt and approved 6-0 to pass and adopt Ordinance No 2008-32.

ORDINANCE NO. 2008-34 AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE CUSTOMERS OF THE JASPER MUNICIPAL ELECTRIC UTILITY

This ordinance amends the electric utility schedule of rates and charges effective for those electric billings due March 1, 2009.

A motion was made by Councilmember John Schroeder, seconded by Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance by title only on the first reading. The ordinance was so read. Thereafter, a motion was made by Councilmember David Prechtel and seconded by Councilmember Ray Howard to approve the ordinance on the first reading. Mayor Schmitt then asked for discussion.

Under discussion, General Manager of Utilities Gerald 'Bud' Hauersperger distributed a copy of the electric rate study report that was prepared by Umbaugh. The report showed customers will see an 11.29% increase in the base rates. Because this increase may be difficult for customers due to hard economic times, the Electric Planning Committee wants to soften the increase; therefore, they are recommending a \$60,000 per month credit through a power and energy adjustment for a one year period. The credit would reduce the rate increase for 2009 from 11.29% to 8.48%. Hauersperger distributed a copy of a letter from Umbaugh that has their comments about the Board's plan to provide such a credit. Umbaugh felt the electric utility has strong cash reserves that should be able to absorb the \$720,000 reduction in its revenue. Hauersperger also distributed a paper showing the comparison of monthly electric charges for a residential customer based on 1,000 kilowatts.

City Attorney Sandra Hemmerlein said since there are only eleven customers in the rural customer classes, those rates have been removed from the ordinance and the rural customers will be rolled over to the City rates.

Mayor Schmitt said he would like to see where the eleven rural customers are located. He also said that when the City annexes territory, a positive reason for a property owner to annex is the

difference one pays between the outside the City rate and the inside the City rate. Schmitt stated he may want the rural customer rates placed back into the ordinance. If so, the Ordinance could be passed as is on first reading and then it could be amended later.

Mayor Schmitt then called for the vote. The motion carried 6-0 and the Ordinance as passed on first reading.

Modify adjustment factor. Mayor Schmitt said because of the effective date of Ordinance No. 2008-34 or in the event said ordinance is not adopted, the Council needs to consider making a separate motion to modify the Power and Energy Adjustment Factor to include a \$60,000.00 credit per month during the calendar year 2009. Such positive action would allow the \$60,000 reduction for the January billing so that the twelve months would coincide with the IMPA rate increase.

A **motion** was made by Council member Ambrose ‘Butch’ Schitter and seconded by Council member David Prechtel to allot \$60,000.00 per month out of the Electric Utility account until Ordinance No. 2008-34 is passed and effective or for the length of 2009 effective January 2009 whichever comes first. Motion carried 6-0.

Flyer. Council member Thomas Schmidt asked Hauersperger if he could include a flyer with the monthly customer billing statements that reminds residents that house numbers need to appear on ones house.

Appointments by Council.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to appoint the following individuals to the following Board positions:

Randy Buchta	Dubois County Solid Waste Board	Reappointment
Mike Harder	Jasper Utility Service Board	Reappointment
Greg Stoner	Jasper Community Arts Commission	Replacing Don Rouston

Motion carried 6-0.

Appointments by Mayor Schmitt:

Mayor Schmitt read the following list of individuals he appointed at the beginning of 2009 to the following Board positions:

G. Kendall Martin-	Jasper Community Arts Comm	Replacing Myra Schuetter
Judy Lautzenhiser	Jasper Community Arts Comm	Replacing Sylvia Metzger
Hemang Shah	Dubois Cty. Tourism Commission	Reappointment
Mark Schmidt	Economic Develop Commission	Replacing Joe Fehribach
(Nominated by County Council)		
Brenda Kunkel	Hospital Authority – City of Jasper	Reappointment
Dave Prechtel	Ind. 15 Regional Plan. Commission	Reappointment
Bernita Berger	Jasper City Park & Rec Board	Reappointment
Kim Lottes	Jasper Partnership Commission	Reappointment
Stan Jochum	Jasper Partnership Commission	Reappointment
Jim Schroeder	Jasper Plan Commission	Reappointment
Bob Wright	Jasper Plan Commission	Reappointment
Rick Stradtner	Jasper Utility Service Board	Replacing Mike Schwenk
Greg Krodel	Jasper Utility Service Board	Reappointment
Dan Beckman	Board of Zoning Appeals	Replacing Jim Blessinger

Jerry Uebelhor	Board of Zoning Appeals	Reappointment
Dave Seger	Storm Water Management Bd	Reappointment

Comment. Don Weisheit, a member of the Jasper Community Arts Commission, thanked the Council and the City of Jasper for their support of the Arts.

Adjournment. There being no further business to come before the board, a motion was made by Councilmember Thomas Schmidt and seconded by Councilmember Randy Buchta to adjourn the meeting. The motion carried 6-0 and the meeting adjourned at 7:51 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 21st day of January, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary